

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
COREY ALLEN BROWN,)
Defendant.)

CASE NO. CR 05 391 RSM

DETENTION ORDER

Offense charged: Count I: DISTRBUTION OF COCAINE AND OXYCODONE

Date of Detention Hearing: November 30, 2005.

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

The Government was represented by Ron Friedman. The defendant was represented by Howard Ratner.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) There is probable cause to believe the defendant committed the drug offense of Distribute of Cocaine and Oxycodone. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

(2) Nothing in this record satisfactorily rebuts the presumption against release for several reasons: Using the factors below, under Title 18 § 3142 (g), the Court considered the following:

(a) The nature and circumstances of the offense charged, including whether the offense is a crime of violence or involves a narcotic drug.

(b) The weight of the evidence: This case involves investigation of this Defendant's activities through the use of a court authorized wiretap. The Defendant is heard on the "wire" as purchasing kilogram quantities of cocaine from co-defendant Ian Fuhr.

(c) The history and characteristics of the person, including:
The person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, record concerning appearance at court proceedings, and whether at the time of the current offense or arrest, the person was on probation, on parole, on other release pending trial, sentencing, appeal, or completion of sentence of an offense under Federal, State, or local law.

His contacts to this area are life-time contacts, though he currently

1 appears to have not gainful employment. He faces the mandatory
2 minimum sentence often years and thereby has an incentive to
3 flee.

4 (d) Risk of danger. His criminal history includes crimes of Violation
5 of a Protection Order and Unlawful Firearms Possession.

6 Together with this instant offense, the Court concludes he poses a
7 risk of danger to the public.

8 Based upon the foregoing information which is consistent with the recommendation of
9 U.S. Pre-trial Services, it appears that there is no condition or combination of conditions
10 that would reasonably assure future Court appearances and/or the safety of other persons
11 or the community.

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13 **It is therefore ORDERED:**

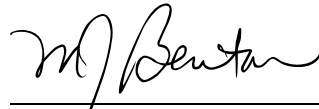
- 14 (1) The defendant shall be detained pending trial and committed to the
15 custody of the Attorney General for confinement in a correction facility
16 separate, to the extent practicable, from persons awaiting or serving
17 sentences or being held in custody pending appeal;
- 18 (2) The defendant shall be afforded reasonable opportunity for private
19 consultation with counsel;
- 20 (3) On order of a court of the United States or on request of an attorney for
21 the Government, the person in charge of the corrections facility in which
22 the defendant is confined shall deliver the defendant to a United States
23 Marshal for the purpose of an appearance in connection with a court
24 proceeding; and

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1 (4) The clerk shall direct copies of this order to counsel for the United
2 States, to counsel for the defendant, to the United States Marshal, and to
3 the United States Pretrial Services Officer.

4 DATED this 9th day of December, 2005.

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7 MONICA J. BENTON
8 United States Magistrate Judge
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